United Nations A/HRC/37/NGO/56

General Assembly

Distr.: General
7 February 2018

English only

Human Rights Council
Thirty-seventh session
26 February-23 March 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-01823(E)
1801823

Please recycle

Grave Violations in Supressing Duraz Peaceful Assembly in Bahrain*

Introduction

In June 2016, the government of Bahrain charged Sheikh Qassim, the highest religious authority of Shia population in Bahrain and the spiritual leader of al-Wefaq, the largest opposition group, of 'money laundering,' including illegal collection of donations and their misappropriation to provoke sectarianism and violence.

Soon after, peaceful sit-in protests around his house commenced against the government's aggressive political, security, and pecuniary measures in Duraz, in solidarity with Shaikh Qassim revoking his nationality and prosecuting him decided to peacefully express their views and positions. In order to protect him from possible reprisal by the authorities, many citizens gathered and held a sit-in around the Shaikh Qassims' house.

Since then, security forces subsequently have sieged the area, whose population reaches 20,000, closing off all main routes into and out of Duraz and installing search-points at two open entrances. By implementing unnecessary restraints on peaceful assembly, Bahraini authorities have criminalised freedom of assembly and expression.

The escalation of violation

Since the very beginning of the open-air sit-in, the Bahraini government tightened security and besieged Duraz from every side. Security forces set up checkpoints at all entrances of the area, staffed with police who prevent non-Duraz residents from entering. Police blocked off nearly all entrances to the village and established checkpoints at the remaining two main entrances, excessively restricting the right to freedom of movement of Duraz's residents, business owners and visitors. Since May 2016 to date, the authorities have banned the Friday Prayer in Duraz's Imam Al-Sadiq mosque, the largest Shiite mosque in the country, where Sheikh Isa Qassim used to lead the worshipers. The authorities prevented worshippers and clerks from accessing the area and performing the prayer.

Communication rights, which involve freedom of opinion and expression, were equally violated. The intensified strict measures, including Internet blackout is taken by the authorities on daily basis, in Duraz, since June 2016, approximately from 7:p.m. to 1:00 a.m.

The Al Wasat Newspaper mentioned that disrupting Internet services has increased since the security forces raided the village resided by 20.000 citizens, adding that the Internet access is cut off for 12 hours daily. This act aimed at preventing the residents from informing the local and public opinion of the violations committed against them.

The raid on Duraz is one of a series of human rights violations, committed by the security authorities against the residents, since June 2016, including violations on the religious freedom, obstruction of the right to freedom of movement, internet blackout, repression of protesters, excessive use of internationally prohibited weapons and tear-gas bombs, etc.

The government of Bahrain did not investigate on the raid on Duraz, which is a clear violation of its obligations, in particular, its commitment to implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI) and the Universal Periodic Review (UPR).

The crackdown on Duraz and the death of protesters

The reprisals against Sheikh Qassim has led to further grave violations. On January 26, 2017, masked, plainclothes officers raided the peaceful sit-in outside his home in Duraz, fatally wounding 18-year-old Mustafa Hamdan. MOI officials infringed upon Hamdan's right to health when they did not allow prompt medical care, he needed to survive, for his injury. He died on March 24, two months after security forces fired at him. Furthermore, on May 23 2017, the security forces conducted brutal crackdown on Duraz, which resulted in the death of five citizens – who are Muhammad Kathem Zain Al Deen, Ahmad Al A'asfur, Muhammad Hamdan, Muhammad Al Ekri and Muhammad Al Sari.

Many Bahrainis believe that these victims were executed in defense of his religious beliefs, which should already be defended by the government of law and justice, as Geneva Convention IV, Article 10 of the 1977 Additional Protocol I provides that "in all circumstances, they shall be treated humanely and shall receive, to the fullest possible extent and with the least possible delay, the medical care and attention required by their condition. The freedom to practice religious rites without government interference is a fundamental human right. It is a civil right as well, basically

protected by the Bahraini Constitution, and the international treaties that Bahrain has ratified. Consequently, the government cannot prevent any citizen from worshiping in a chosen manner. This right not only gives citizens the freedom to practice their religious rites and beliefs, but it also prevents the government from interfering with how they practice them.

Violation of domestic and international law

The repression on Duraz and the collective punishment against protesters are a severe violation of Article 19(B) of the Bahraini Constitution, which stipulates that "no person shall be arrested, detained, imprisoned, searched or compelled to reside in a specified place, nor shall the residence of any person or his liberty to choose his place of residence or his liberty of movement be restricted, except in accordance with the law and under the supervision of the judicial authorities," as well as Article 12(1) of the International Covenant on Civil and Political Rights (ICCPR), which stipulates "Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence." Article 13(1) UDHR also stipulates that "everyone has the right to freedom of movement and residence within the borders of each state/"

Recommendations

To the government of Bahrain:

- Accountability of all officials responsible or extrajudicial killings of the 5 victims during the raid on Duraz.
- Adopting a serious solution to deal with the outstanding political and human rights issues that are causing instability in the country.
- Restore all arbitrarily revoked citizenship and amend the citizenship law to restrict these practices.
- Remove the restrictions on the right to assembly and other regulations that forbid citizens from expressing their opinions, without fear of reprisal.
- Fully and transparently, ratify and implement the ICCPR, which protect civil rights and freedoms, and to adhere to international standards of human rights.
- Release and/or drop all charges against human rights activities and members of civil society organisations, prosecuted for their work, and for exercising the rights to free expression, association, and assembly.

To the international community, to urgently exercise their active role to:

- Break the security siege on the village of Duraz, and end the house arrest imposed on Ayatollah Qassim.
- Open a transparent and independent investigation, in which independent civil society organisations are participated, to hold accountable those involved in the killing of five peaceful protesters, and to compensate the victims.
- End the violation against public freedom, and putting an end to the house violation taking in the village of Duraz.
- End the excessive use of force while dealing with peaceful demonstrations.
- Stop the prosecution of the participation in the Duraz peaceful assembly.
- Find a serious solution to deal with the human rights crisis by implementing the recommendations of the Independent Commission of Inquiry and the recommendations of the UPF according to a timetable and under the supervision of the United States of America.

---

*Salam For Democracy & Human Rights, an NGO without consultative status, also shares the views expressed in this statement.